

REMARKS

Claims 1-34 are pending in the application. The Office action rejected claims 1-4, 7, 9, 13-15, 17-18, 20-26, 29, 33-34 under 35 U.S.C. § 102(e) as being anticipated by Ogle (U.S. Patent No. 6,430,604). Claims 5-6, 8, 10, 16, 19, 27-28, 30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ogle in view of known art (Official Notice). Claims 11-12, 31-32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ogle in view of Woltz (U.S. Patent No. 6,216,165). Applicants respond as follows.

SECTION 102(e) REJECTION

The Examiner rejected claims 1-4, 7, 9, 13-15, 17-18, 20-26, 29, 33-34 under 35 U.S.C. § 102(e) as being anticipated by Ogle (U.S. Patent No. 6,430,604). The Applicants respectfully traverse this rejection. The Applicants have amended claim 1 to include subject matter based on claim 11, which the examiner admits is not covered by Ogle. The amended claim 1 discloses a real time communication message being routed to communication devices based on a subscriber profile. The real time communication message is analyzed and separated into components based on format and sent to two corresponding wireless devices based on the profile. The user profile sets preferences for how specific attachments in specific formats are to be treated. For example, an incoming message is arranged such that a first component (i.e. a voice message) is sent to a cellular telephone and a second component (i.e. GIF file) is sent to PDA. (Page 12, lines 17-23). Independent claim 14 has been amended to recite the same construction directed at wireless devices. Claim 23 reflects the amendments to claim 1.

The examiner admits that Ogle does not teach routing the message to two devices as in amended claims 1, 14, and 23. The Applicant requests the rejection under 35 U.S.C. § 102(e) of the independent and associated dependent claims 2-13, 15-22, and 24-34 be removed.

SECTION 103(a) REJECTION

The examiner alleges claims 11-12 and 31-32 are unpatentable under 35 U.S.C. § 103(a) over Ogle in view of Woltz (U.S. Patent No. 6,216,165). The Applicants

respectfully traverse this rejection and request reconsideration. The Applicants have amended claims 1, 14 and 23 to include the limitations of claim 11 with regards to arranging and routing a message to two devices. As such, Applicants argue the amended claims 1, 14 and 23 with respect to the rejection under 35 U.S.C. § 103(a). Applicants assert that Ogle in combination with Woltz does not teach or suggest the amended independent claims 1, 14, and 23. The amended independent claims disclose a real time communication message being routed based on a subscriber profile. The real time communication message is analyzed and separated into components based on format and sent to two corresponding wireless devices based on the profile. The user profile sets preferences for how specific attachments in specific formats are to be treated. For example, an incoming message is arranged such that a first component (i.e. a voice message) is sent to a cellular telephone and a second component (i.e. GIF file) is sent to PDA. (Page 12, lines 17-23).

Woltz discusses a mail program that reformats messages for a particular pager company (Col 3, line 62, Col 4, line 29) and that also truncates email attachments when forwarding to a subscriber device incapable of receiving the attachment (Col 6, lines 39-48). The Applicants wish to point out that when Woltz refers to different email formats (Col 4, line 23) he is discussing transmission protocol-oriented formats such as Internet email format (Col 4, line 19) and Pagenet alphanumeric text format (Col 4, lines 20-21). Reformatting a message protocol is not the same as reformatting message content. The protocol formats mentioned in Woltz must not be confused with attachment formats of the current disclosure such as an image file format, a video file format and an audio file format. In Woltz, the entire message is forwarded to a device, unless the device is incapable of receiving all of it, wherein the message (specifically an attachment) is truncated. The Examiner's reference (Col 5 line 60 - Col 6 line 14) teaches creating custom messages for pagers based on a user profile. This has nothing to say about splitting messages or reformatting the message content of an incoming message. Woltz does not teach examining a message for more than one differently formatted components in the message. Woltz does not teach splitting a message so that appropriate components are used to create separate messages or sending the separate messages to two different devices based on the format. Woltz in combination with Ogle is distinguishably different from a system according to the current disclosure. It is an inappropriate application of hindsight to suggest that Woltz teaches the principles of the current invention. The

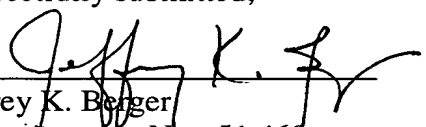
Applicants contend that Woltz does not supply the necessary teaching for combination with Ogle in a 35 U.S.C. § 103(a) rejection and therefore request the rejection be removed.

In view of the above remarks, favorable re-consideration of this application and passage to issuance is respectfully requested. The examiner is invited to contact applicant's undersigned agent with any questions regarding this response or the application as a whole. If there are any additional fees or refunds required, the Commissioner is directed to charge or debit Deposit Account No. 13-2855.

Dated: October 17, 2003

Respectfully submitted,

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